IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPEAL NO. 791 OF 2004

The State of Maharashtra. ..Appellant.

Vs.

Sanjay @ Laxmikant Vinayak
Kulkarni & ors. .. Respondents.

Ms.Usha Kejariwal, Additional Public Prosecutor for
the State.

CORAM : R.M. LODHA AND
R.S. MOHITE, JJ.

DATED : 31st January, 2005

P.C.

Heard Ms.Usha Kejariwal, the learned Additional Public Prosecutor.

2. The State of Maharashtra has preferred this criminal appeal aggrieved by the judgment dated 20th April, 2004 passed by IV Ad-hoc Additional Sessions Judge, Pune whereby he sentenced the accused persons (respondents herein) to suffer rigorous imprisonment for four years while convicting them under section 392 IPC. rigorous

3. The maximum sentence that could be awarded for the offence punishable under section 392 of the Indian Penal Code is 10 years. Having considered the facts and circumstances of this case, we find that the sentence awarded by the learned trial Judge is not inadequate. All the three respondents have

been sentenced to suffer rigorous imprisonment for four years and pay a fine of Rs.2000/- each and in default to suffer rigorous imprisonment for six months. The sentence does not warrant interference by this court.

4. Criminal appeal for enhancement of sentence is summarily rejected.

(R.M. LODHA, J.)

(R.S. MOHITE, J.)